



City of Huntington Beach Planning and Building Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ethan Edwards, AICP, Associate Planner
DATE: August 23, 2011

SUBJECT: CONDITIONAL USE PERMIT NO. 11-001 (TAPHOUSE RESTAURANT)

**APPLICANT/
BUSINESS**

OWNER: Dwight Chornomud, 8901 Warner Avenue, Huntington Beach, CA 92647

PROPERTY

OWNER: Huntington Partners, LLC, c/o Kathy Buchoz, 8907 Warner Avenue, Huntington Beach, CA 92647

LOCATION: 8901 Warner Avenue, 92647 (northwest corner at Magnolia Street – Bridgecreek Plaza)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 11-001 represents a request to allow the establishment, maintenance, and operation of an approximately 9,186 sq. ft. two-level indoor restaurant and 1,082 sq. ft. outdoor dining area with alcohol sales; live entertainment consisting of music and dancing; approximately 564 sq. ft. outdoor storage area; and an 87-space reduction in required parking. The sale and consumption of alcohol is proposed to occur within the interior of the restaurant as well as the outdoor dining patio area. The live entertainment request includes amplified and non-amplified music such as: disc jockey, live bands, vocalists, karaoke, soloists, and recorded music. The dancing request includes two dancing areas totaling approximately 469 sq. ft. within the ground level and lower level of the restaurant. The proposed outdoor storage area is located at the northwest corner of the building and includes approximately 564 sq. ft. of uncovered storage area enclosed by a perimeter wall or fence. The reduced parking request includes an 87-space reduction in required off-street parking spaces based on a shared use analysis.

The restaurant will employ approximately 45 people, with shifts averaging approximately 15 to 20 employees. The hours of operation for the restaurant including outdoor dining and alcohol service are proposed between 7:00 AM and 2:00 AM every day. The alcohol request is for a full service bar with spirits. The outdoor dining patio area is located on the ground level at the southwest corner of the building facing Warner Avenue and will include restaurant lounge seating as well as traditional tables and chairs, gas fire pits, flat screen televisions, and designated smoking area. Interior building improvements include an overall update and remodel including new partitions, new and remodeled restrooms, handicap accessibility improvements, new flooring and finishes, restaurant furnishings and equipment. Exterior improvements include new outdoor dining and exterior storage areas, fire pits, trash enclosure, wall stucco, paint and minor architectural treatments such as stone veneer, lamps, doors, hand railings, etc.

The project is located within an existing building, previously utilized as a restaurant and nightclub (former Jeremiah's Steakhouse Restaurant & Lounge and then Doson Beach Restaurant) permitted via Conditional Use Permit (CUP) No. 94-19. This permit also included approval of reduced parking through a joint use parking agreement with the office building located on the same property. Because the existing

SS #A-1

building has been vacant and the permitted uses have ceased to operate for more than a year, CUP No. 94-19 has been discontinued. The current request is to establish a similar use, and again creates a parking deficiency. As a result, the applicant is required to provide additional parking spaces or demonstrate that the parking demand can be met. Huntington Beach Zoning & Subdivision Ordinance Section (HBZSO) 231.08(B) – *Reduced Parking for Certain Uses*, authorizes the granting of a reduction in required parking, based on survey data prepared by a state licensed traffic engineer, demonstrating that the site has adequate parking based on shared use. For comparison purposes, the original permit including joint use parking (CUP No. 94-19) restricted the daytime square footage of the restaurant during peak office parking demand to satisfy minimum parking requirements for the site. The current request for reduced parking suggests that the overall parking demand can be met given that current and anticipated mix of land uses have peak parking demands at different points in time, or on different days of the week. Unlike the previous entitlement, restricting square footage during peak demand through approval of joint use parking is not part of this request. The applicant submitted a Parking Analysis on July 20, 2011 prepared by Kunzman Associates, Inc. (Attachment No. 7) to substantiate the current request.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG-F1 (Commercial General – 0.35 Max. FAR)	CG (Commercial General)	Restaurant/Office/ Retail
North of Subject Property:	RMH-25 (Residential Medium High Density – 25 units/acre)	(Q) RMH – (Qualified Classification – Residential Medium High Density)	Multi-unit residential
East of Subject Property: (across Magnolia, City of Fountain Valley)	General Commercial	C1 (Local Business)	Commercial
South of Subject Property: (across Warner, City of Fountain Valley)	General Commercial	C1 (Local Business)	Commercial
West of Subject Property:	CG-F1	CG	Commercial

The former restaurant use with live entertainment, dancing, and joint use parking was permitted via Conditional Use Permit No. 94-19. This use ceased to operate in 2005 and a restaurant use with live entertainment, dancing, and joint use parking has not operated at this location for more than a year. Pursuant to HBZSO Section 241.16(C), a conditional use permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months. Therefore, Conditional Use Permit No. 94-19 is deemed null and void and consequently the purpose of the subject request is to reestablish the use.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

July 21, 2011

MANDATORY PROCESSING DATE(S):

September 19, 2011

CUP No. 11-001 was filed on January 20, 2011, supplemented by the applicant on May 25, 2011 and deemed complete June 25, 2011. Subsequently, the applicant submitted a new request on July 12, 2011 to consider reduced parking pursuant to HBZSO 231.08(B); resulting in the applicant's submission of a Parking Analysis on July 20, 2011. Staff has reviewed this new request and again deemed the application complete on July 21, 2011. The application is tentatively scheduled for public hearing before the Planning Commission on September 13, 2011.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves the operation and permitting of the existing development involving negligible expansion of an existing use.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Planning & Building, Economic Development, Community Services, Fire, and Public Works have reviewed the application and identified comments and applicable code requirements (Attachment No. 6) with no major concerns and comments. The Police Department has reviewed an application for an Entertainment Permit pursuant to Municipal Code Chapter 5.44 (Attachment No. 5) and issued a Conceptual Entertainment Permit (Attachment No. 4). The applicant has reviewed the proposed entertainment permit conditions and verbally expressed their understanding and willingness to comply with these conditions if approved.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

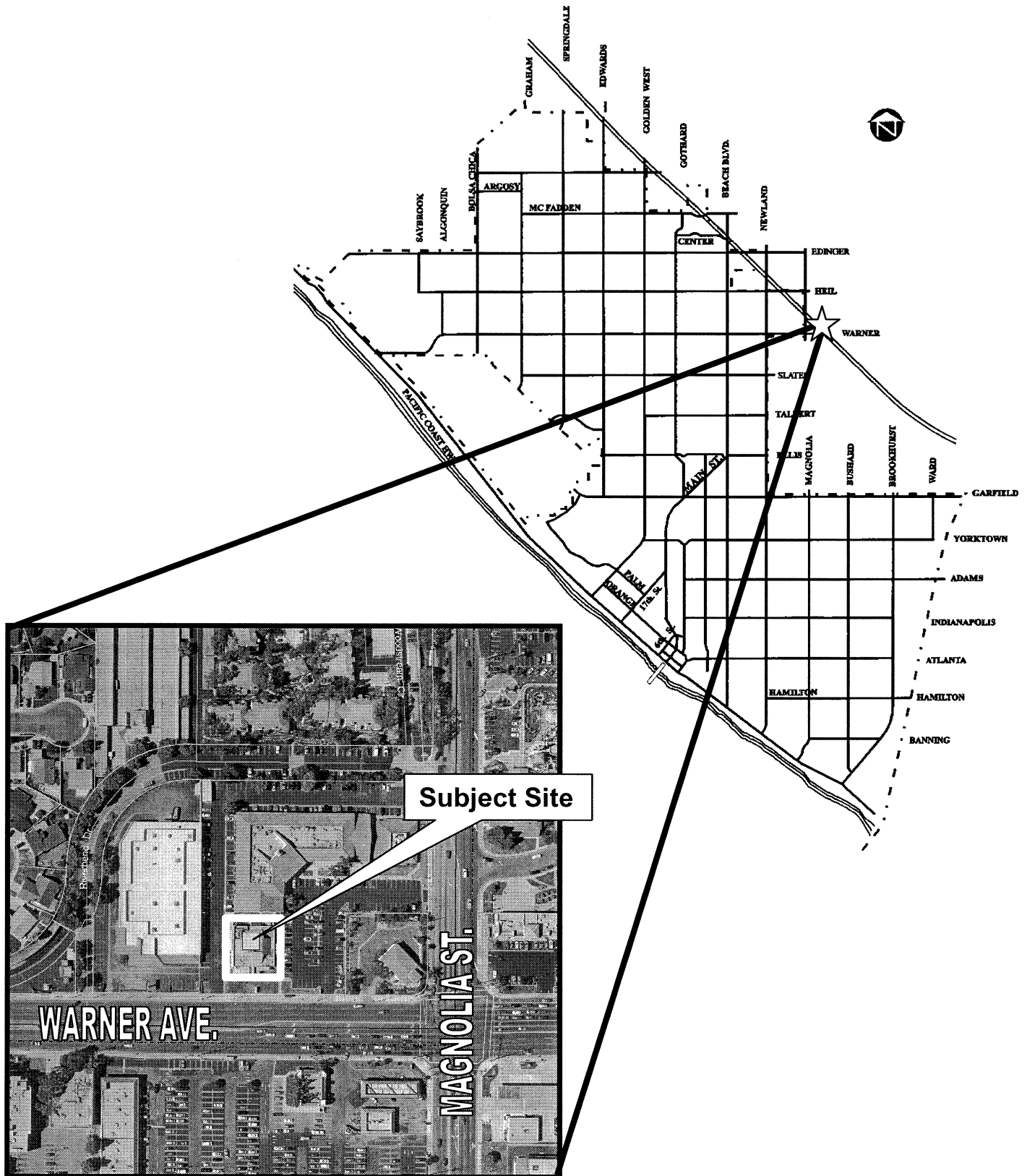
PLANNING ISSUES

The primary issues with the proposed project are related to land use compatibility including consideration of reduced parking for the site; restaurant use with alcohol, live entertainment, dancing and outdoor dining. In general, the proposed use is consistent with the scope and intent of development in commercial zoning designations and supported by the General Plan.

ATTACHMENTS:

1. Vicinity Map
2. Site Plans, Floor Plan, and Elevations received and dated July 11, 2011
3. Project Narrative received July 11, 2011
4. Conceptual Entertainment Permit received July 8, 2011
5. Municipal Code Chapter 5.44 (Restaurants – Entertainment Permits)
6. Code Requirements Letter dated June 24, 2011 (for informational purposes only)
7. Parking Analysis received July 20, 2011

SH:RR:EE:kd



VICINITY MAP

**CONDITIONAL USE PERMIT NO. 11-001
(TAPHOUSE RESTAURANT – 8901 WARNER AVENUE)**

TAPHOUSE

BREAKDOWN OF AREAS (DAY USE)

1. MAIN INDOOR DINING AREA	
A. CUSTOMER AREA 1	921.00 S.F.
B. CUSTOMER AREA 2	433.00 S.F.
C. CUSTOMER AREA 3	1,274.00 S.F.
D. PRIVATE DINING	408.00 S.F.
E. PRIVATE DINING	3078.00 S.F.
TOTAL	3,078.00 S.F.

2. LOBBY AREA	
A. LOBBY AREA	514.00 S.F.
TOTAL	514.00 S.F.

3. EMPLOYEE AREA	
A. EMPLOYEE AREA	204.00 S.F.
B. BAR AREA	852.00 S.F.
TOTAL	1,056.00 S.F.

4. RESTROOMS	
A. MEN'S RESTROOMS	329.00 S.F.
B. WOMEN'S RESTROOMS	247.00 S.F.
TOTAL	576.00 S.F.

5. BACK OF HOUSE	
A. KITCHEN	224.00 S.F.
B. STORAGE/STAFF AREA	434.00 S.F.
C. PREP/DISHWASHER AREA	189.00 S.F.
D. DRY STORAGE	91.00 S.F.
E. WALK IN FREEZER	57.00 S.F.
F. WALK IN COOLER	54.00 S.F.
G. WALK IN BEER COOLER	151.00 S.F.
H. EMPLOYEES RESTROOM	40.00 S.F.
I. MOP SINK AREA	13.00 S.F.
J. EMPLOYEES ENTRANCE	20.00 S.F.
K. FIRE SPRINKLER REEF ROOM	31.00 S.F.
L. EQUIPMENT ROOM 1	30.00 S.F.
M. EQUIPMENT ROOM 2	28.00 S.F.
N. EQUIPMENT ROOM 3	33.00 S.F.
O. LOCKERS ROOM	71.00 S.F.
P. OFFICE	74.00 S.F.
TOTAL	1,324.00 S.F.

6. STAIRS	
A. STAIRS 1	182.00 S.F.
B. STAIRS 2	51.00 S.F.
TOTAL	233.00 S.F.

7. DOWNSTAIRS DINING AREA	
A. CUSTOMER AREA 5	891.00 S.F.
B. CUSTOMER AREA 6	438.00 S.F.
TOTAL	1,329.00 S.F.

8. DOWNSTAIRS EMPLOYEE AREA	
A. BAR AREA 2	247.00 S.F.
TOTAL	247.00 S.F.

9. DOWNSTAIRS RESTROOMS	
A. MEN'S RESTROOMS	95.00 S.F.
B. WOMEN'S RESTROOMS	92.00 S.F.
TOTAL	187.00 S.F.

10. DOWNSTAIRS STORAGE	
A. STORAGE 1	18.00 S.F.
B. STORAGE 2	39.00 S.F.
C. ROOM 1	15.00 S.F.
TOTAL	72.00 S.F.

11. UPSTAIRS STORAGE	
A. STORAGE 3	343.00 S.F.
TOTAL BUILDING AREA	9,184.00 S.F.
*TOTAL BUILDING AREA	9,184.00 S.F.
*OUTDOOR DINING AREA	1,082.00 S.F.

TAPHOUSE

BREAKDOWN OF AREAS (NIGHT USE)

1. MAIN INDOOR DINING AREA	
A. CUSTOMER AREA 1	921.00 S.F.
B. CUSTOMER AREA 2	92.00 S.F.
C. CUSTOMER AREA 3	408.00 S.F.
D. PRIVATE DINING	408.00 S.F.
TOTAL	1,729.00 S.F.

2. LOBBY AREA	
A. LOBBY AREA	514.00 S.F.
TOTAL	514.00 S.F.

3. EMPLOYEE AREA	
A. EMPLOYEE AREA	204.00 S.F.
B. BAR AREA	852.00 S.F.
TOTAL	1,056.00 S.F.

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L. EQUIPMENT ROOM 1	30.00 S.F.
M. EQUIPMENT ROOM 2	28.00 S.F.
N. EQUIPMENT ROOM 3	33.00 S.F.
O. LOCKERS ROOM	71.00 S.F.
P. OFFICE	74.00 S.F.
TOTAL	1,574.00 S.F.

6. STAIRS	
A. STAIRS 1	182.00 S.F.
B. STAIRS 2	51.00 S.F.
TOTAL	233.00 S.F.

7. DOWNSTAIRS DINING AREA	
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A. STORAGE 3	343.00 S.F.
TOTAL BUILDING AREA	433.00 S.F.
*TOTAL BUILDING AREA	433.00 S.F.
*DOWNSTAIRS DANCE FLOOR	1,160.00 S.F.
TOTAL BUILDING AREA	9,184.00 S.F.
*OUTDOOR DINING AREA	1,082.00 S.F.

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JUL 11 2011

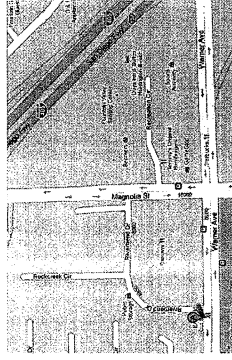
Dept. of Planning
& Building

TAPHOUSE

R E S T A U R A N T

8901 WARNER AVE. HUNTINGTON BEACH, CA. 92647

VICINITY MAP



BUILDING DATA

A.P.N.	107-231-10
THE FLOOR AREA OF TENANT SPACE	9,184.00 S.F.
OCCUPANCY GROUP	A-3
TYPE OF CONSTRUCTION	V-8
NO. OF STORIES	2 + BASEMENT
FIRE SPRINKLER SYSTEM	NO

DESCRIPTION OF WORK

- EXISTING RESTAURANT \$10 TO BE COMPLETELY REMODELED
- NEW PATIO AREA OF 1082 SQ. FT.
- NEW UNCOVERED EXTERIOR STORAGE AREA 544 SQ. FT.

NOTES

- EQUIPMENT SHALL BE N.E.T. APPROVED AND INSTALLED TO N.E.T. STD. WITH 4" ROUND METAL LEGS / COMMERCIAL CATERER 4" COVE BASE - 3/8" RADIUS.
- ALL EXIT DOOR SHALL BE OPENABLE FROM OUTSIDE WITHOUT EFFORT USE OF A KEY.
- ALL DOOR SHALL BE MIN. 34" WIDE - 48" HIGH TO PROVIDE MINIMUM 32" CLEAR IN AN OPEN POSITION.
- MAIN ENTRY DOOR TO REMAIN UNLOCK DURING BUSINESS HOURS
- ALL EXTERIOR DOORS, RESTROOM DOORS, STORAGE DOOR, SHALL BE SELF CLOSING THAT REMAIN CLOSED AT ALL TIMES.
- BUILDING ADDRESS NUMBERS SHALL BE IN FRONT OF THE BUILDING AND SHALL BE VISIBLE
- ALL THE WORK SHALL COMPLY WITH ALL STATE BUILDING CODE AND RELATED BUILDING CODE. OTHER B. 2010 C.A.C., C. 2010 C.F.C., D. 2010 C.A.C., E. 2010 C.F.C.

SHEET INDEX

T-1	TITLE SHEET
A-1	SITE PLAN
A-2.1	FLOOR PLAN (DAY USE)
A-2.2	FLOOR PLAN (NIGHT USE)
A-2.3	BASEMENT & 2nd FLOOR PLAN
A-3	DIMENSIONS PLAN
A-4	SOUTH & EAST ELEVATION
A-4.1	NORTH & WEST ELEVATION
A-5	FINISH SCHEDULE/KEY NOTES
ADA-1	HANDICAP ACCESSIBILITY PLAN
AD-1	ARCHITECTURAL DETAILS

PROJECT DATA 2

AREAS 3

SHEET INDEX 1



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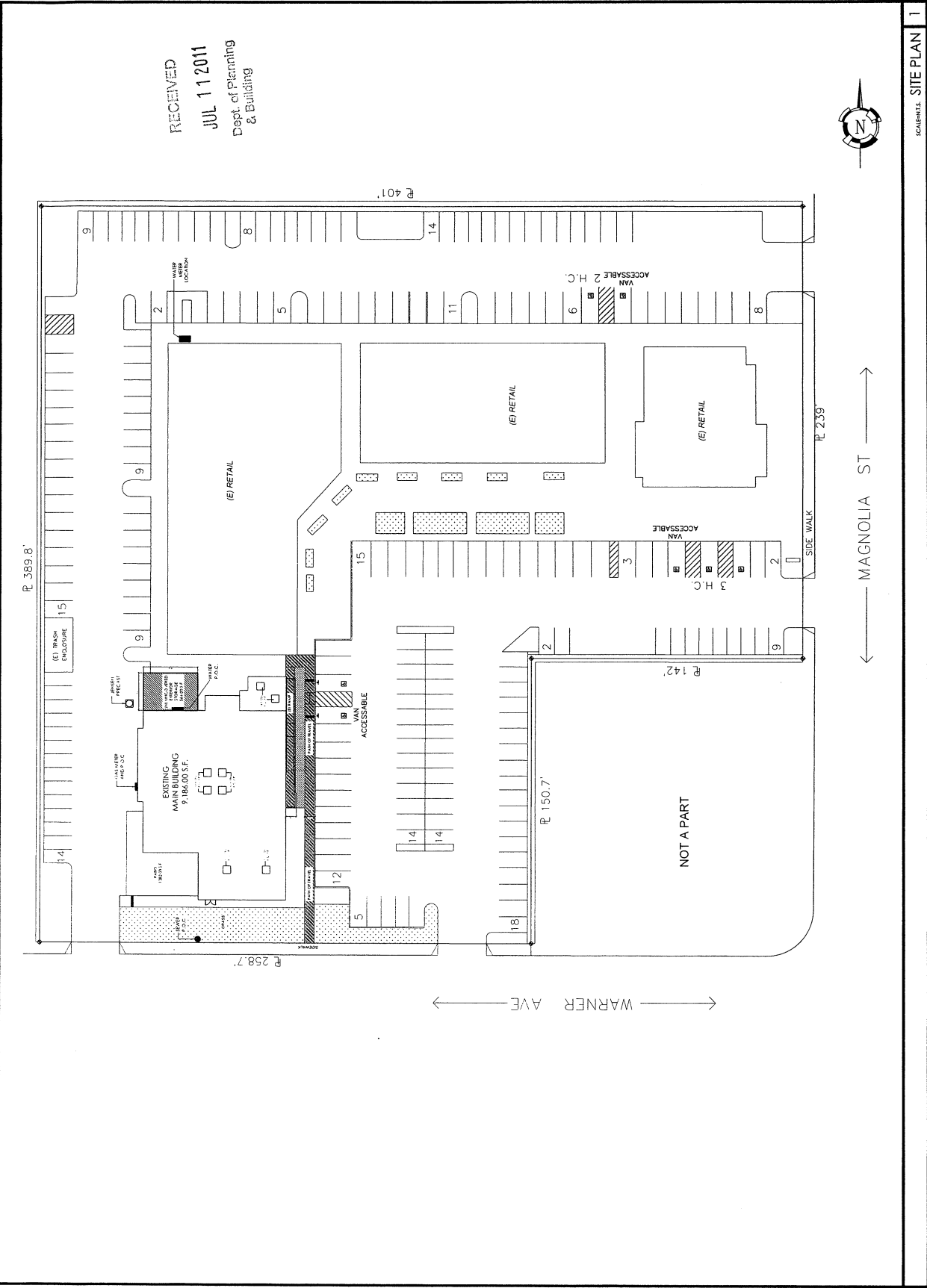
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JOB SITE	8001 WARNER AVE HUNTERDON BACH, CA 94027
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SCALE: 1" = 10'

SHEET 1



DATE	10/27/2010
BY	JOE EEL
CHECKED	AL E.O.V.
DATE	10/27/2010
PROJECT NAME	TAPHOUSE
PROJECT ADDRESS	801 MARINE AVE HUNTINGTON BEACH, CA 92648
PROJECT NO.	10000000
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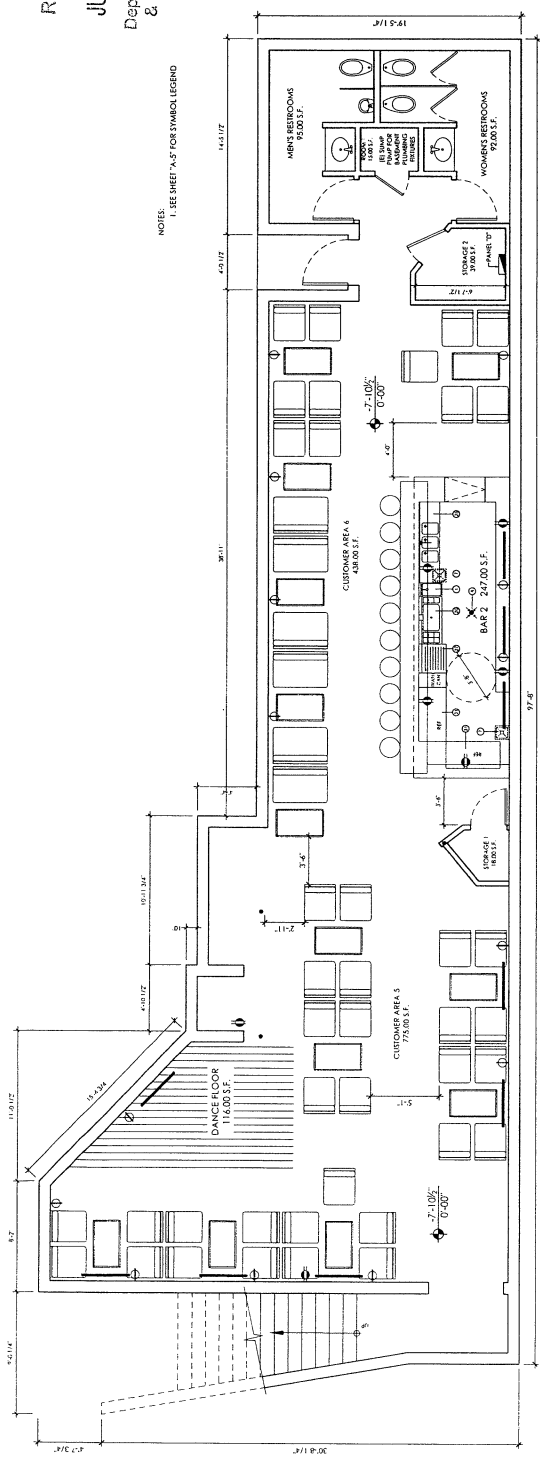
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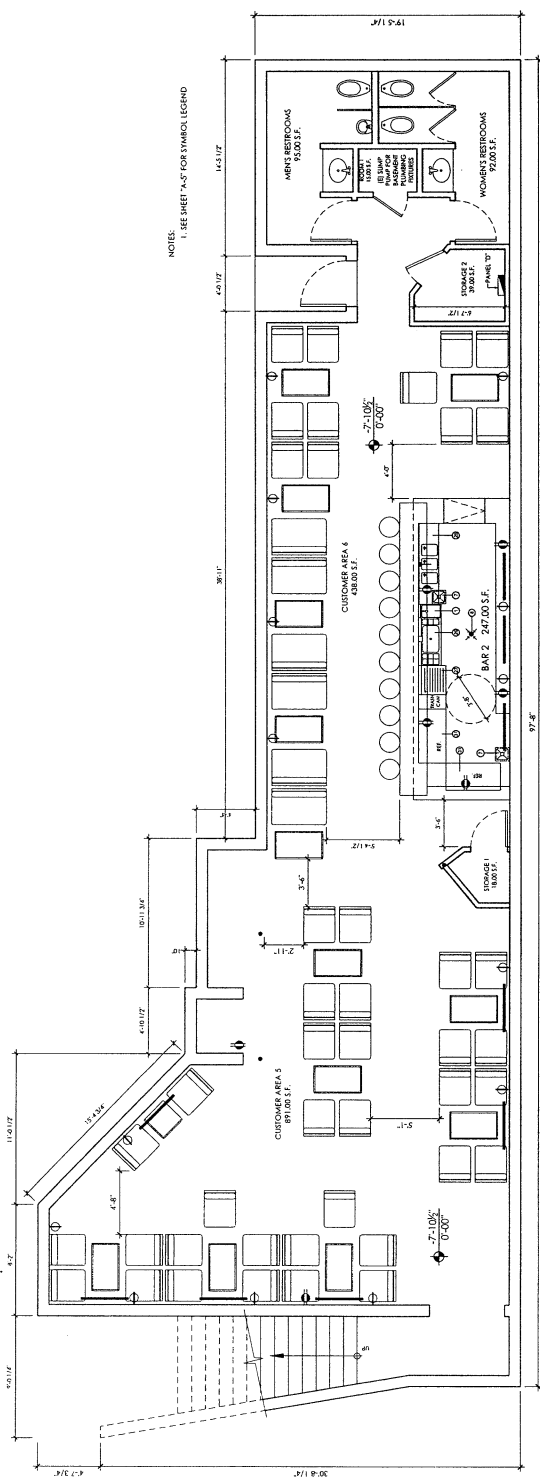
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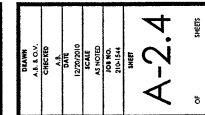
SCALE 1/4" = 1'-0" BASEMENT PLAN (NIGHT USE) 2

(1,874.00 S.F.)

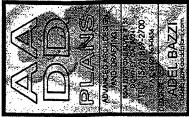
NOTES:
1. SEE SHEET "A-5" FOR SYMBOL LEGEND



SCALE 1/4" = 1'-0" BASEMENT PLAN (DAY USE) 1



(6,985.00 S.F.)



REVISIONS	BY

PROJECT NAME	TAPHOUSE
ARCHITECT	JOHN BIE
PROJECT ADDRESS	800 MARINE AVE REDWOOD CITY, CA 94061

DATE	2nd FLOOR PLAN & REFLECTED CEILING PLAN
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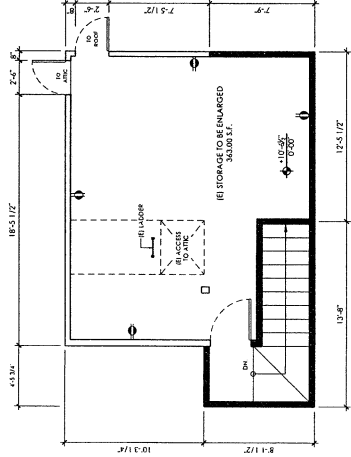
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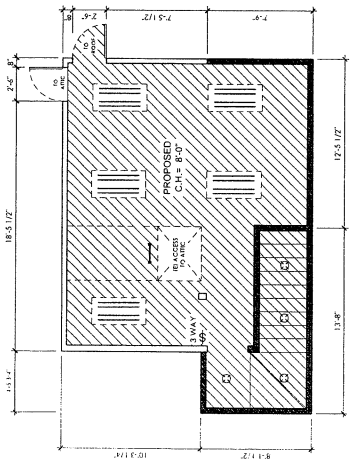
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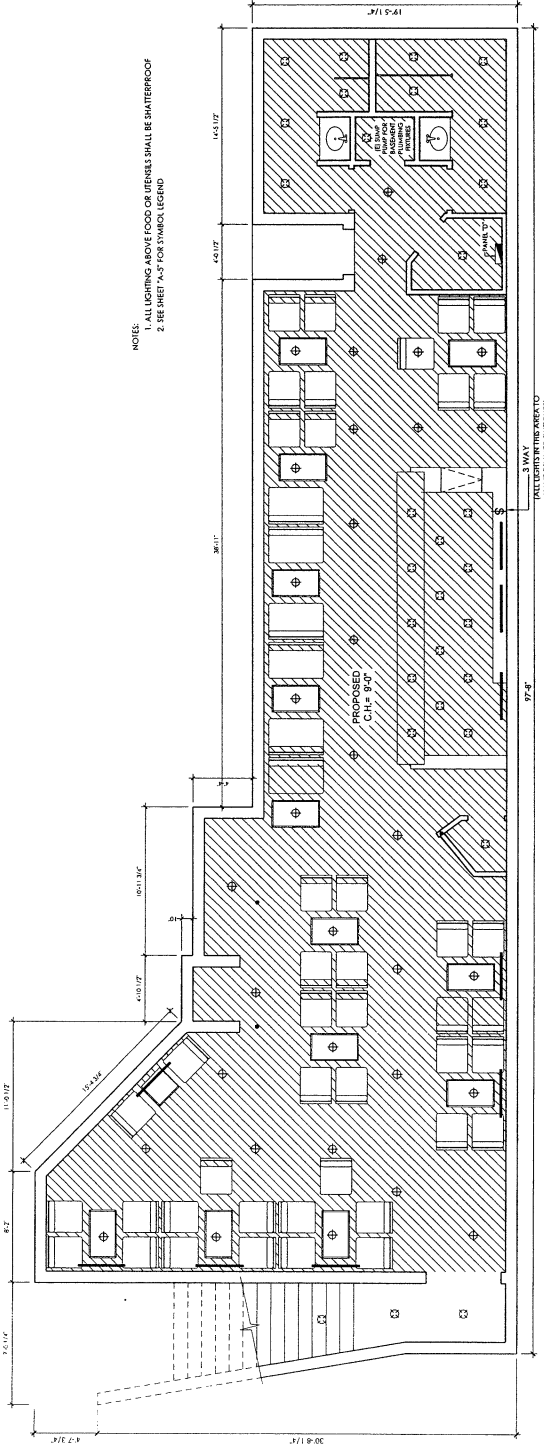
2nd FLOOR PLAN

R.C.P. 2nd. FLOOR PLAN



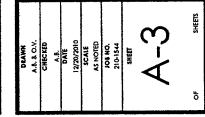
R.C.P. 2nd. FLOOR PLAN

NOTES:
1. ALL LIGHTING ABOVE FOOD OR UTENSILS SHALL BE SHATTERPROOF
2. SEE SHEET "A-5" FOR SYMBOL LEGEND



R.C.P. BASEMENT PLAN

(1,874.00 S.F.)



**AA
DD
PLANS**

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PROJECT NAME:
TAPHOUSE

JOB SEE:
8901 WARNER AVE.
HUNTINGTON BEACH, CA.
92647

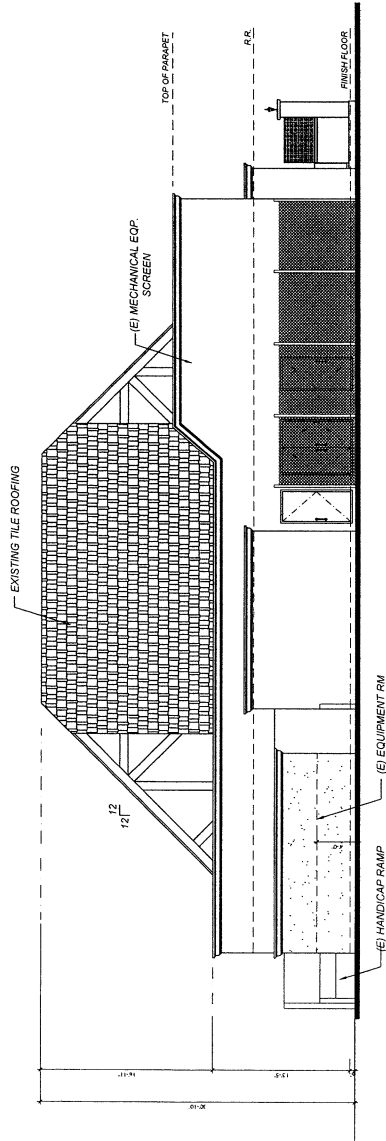
ELEVATIONS
PLANE

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(BY OTHERS)				

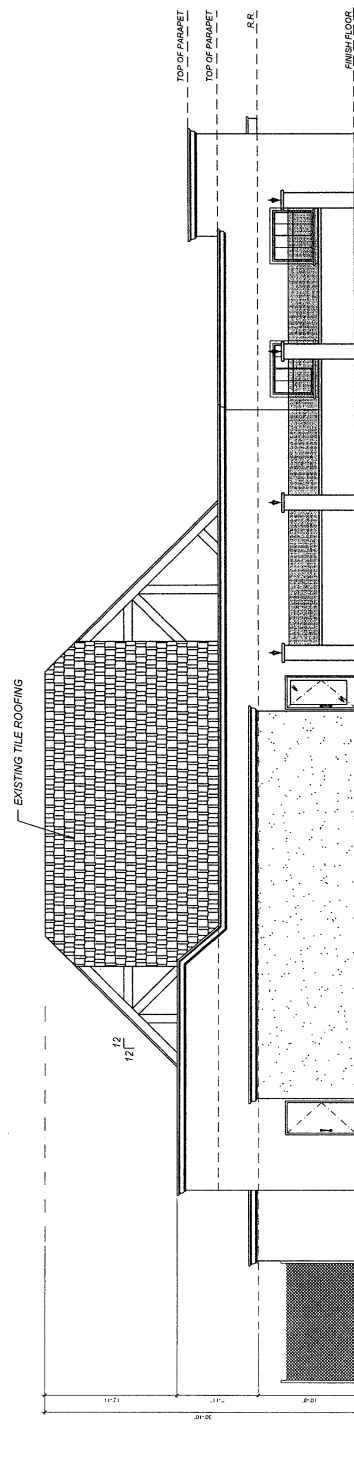
A-4



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SCALE 3/16" = 1'-0" NORTH ELEVATION 2






SCALE 3/16" = 1'-0"

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DRAWN	
A.S. & O.V.	
CHECKED	
A.S.	
DATE	12/20/2010
SCALE	
AS NOTED	
JOB NO.	210-1544
SHEET	A-5

LEGEND	
	DEDICATED CIRCUIT
	TELEVISION
	OUTLET
	RECESSED LIGHTS
	FLOOD LIGHTS
	2x4 FLUORESCENT LIGHT
	EXTERIOR LIGHTS
	SUSPENDED GYP BOARD CEILING
	SUSPENDED T-BAR CEILING

WALL LEGEND	
	EXT. WALL TO REMAIN
	EXT. WALL TO BE DEMOLISHED
	NEW WALL CONSTRUCTION MAX. D.D. 16" AND 2" AT 16" O.C. MAX. TYPING WALLS 16" O.C. FOR PLUMBING WALLS 8" O.C. SECTION 2320, 11.9.10

LEGENDS	3
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KEY NOTES

[illegible]

KEY NOTES	2
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FINISH SCHEDULE	1
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The Taphouse
8901 Warner Ave,
Huntington Beach, CA 92647

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The reason for initiating this application is to obtain approval from the city of Huntington Beach regarding a new business with new owners located at 8901 Warner Avenue. The proposed use for 8901 Warner Ave is a restaurant space, which will be called The Taphouse Restaurant & Lounge. The immediate surrounding uses in the area are predominantly retail and commercial businesses. Further beyond the immediate surroundings are residential properties.

To the North, across Warner Ave, is the Plowboy shopping center with many other small local businesses. Directly behind that center is a housing tract. To the East there are two three major business center that include Boomers, Sports Authority, and Starbucks. Beyond that the 405 freeway separates us from many housing tracts. To the west Warner Ave is lined with strip malls with many more local businesses and housing behind them all. Immediately to our North is our shopping center with an apartment complex just beyond that.

Overall, we hope to take advantage of all the small businesses that are around us, as well as the many, many homes that surround the area. To capture this market we plan on providing our local residents with a loyalty rewards card, which will enable them with locals discounts. In addition, we plan on offering many lunch specials to cater to the many surrounding businesses, as well as a very reasonable happy hour 7 days a week to serve the after work crowd.

The proposed use of The Taphouse Restaurant & Lounge is a sports themed restaurant with 60 Beers on Tap featuring a variety of boldly flavored, made-to-order menu items. Our restaurants concept is to create an inviting neighborhood atmosphere

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& Building

The Taphouse

8901 Warner Ave,
Huntington Beach, CA 92647

that includes an extensive multi-media system, a full bar, and an open layout which will appeal to sports fans and families alike. Our sports-themed interior design will feature photography of Orange County high school athletes that have become professional athletes. We will showcase athletes that have become the pride of Southern California. Our aim is to become the neighborhood destination for all types of sporting events viewing from local high school games to pay-per-view events. The square footage is approximately 9,000sqft. The upstairs is approximately a 6000sqft footprint with 4,000sqft being used for entertainment and dining, and 2,000sqft for the kitchen, office, storage etc. The basement is approximately 2,000sqft with 1,500sqft that will be used for entertainment. The hours of operation at opening will be 11:00am to 2:00am, Monday thru Friday, and 9:00am to 2:00am Saturday and Sunday. We will be serving breakfast, lunch, and dinner. In addition we will have late night dinning available as well. The number of employees will be approximately forty to forty-five. In addition to live music, the restaurant will provide entertainment such as dancing, art shows for local artists, local music acts, as well as beer tastings. Our goal is to gain popularity and a customer base through reaching out into the community. We are a Huntington Beach based company, and hope to help strengthen our community.

Taphouse's business goal is to continue to grow and develop the Taphouse Restaurant & Lounge into a National Chain. To do so, we plan to execute the following: offer a boldly flavored menu with broad appeal, create an inviting, neighborhood atmosphere, enable our guests to customize their dining experience, continue to strengthen Taphouse's name, focus on operational excellence, and offer reasonable drink prices.

The Taphouse HB

8901 Warner Ave,
Huntington Beach, CA 92647

The proposed use of The Taphouse Restaurant & Lounge is a sports themed restaurant with 60 Beers on Tap featuring a variety of boldly flavored, made-to-order menu items.

The Taphouse will offer live entertainment and have a full liquor license. The total square footage is approximately 9,000sqft. The Taphouse will have two uses a Day and a Night Use.

Day Use 11AM to 4PM Monday thru Friday

Main Dining Area	3,038 sq ft
Outdoor Dining Area	1,082 sq ft
Downstairs Dining Area	1,329 sq ft
Back of House	1,576 sq ft
Lobby	514 sq ft
<u>Restrooms</u>	<u>783 sq ft</u>
Total:	8322 sq ft

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Day Use 9AM to 4PM Saturday and Sunday

Main Dining Area	3,038 sq ft
Outdoor Dining Area	1,082 sq ft
Downstairs Dining Area	1,329 sq ft
Back of House	1,576 sq ft
Lobby	514 sq ft
<u>Restrooms</u>	<u>783 sq ft</u>
Total:	8322 sq ft

Night Use 4PM to 2AM Everyday

Main Dining Area	2,252 sq ft
Main Dance Floor	353 sq ft
Stage	433 sq ft
Outdoor Dining Area	1,082 sq ft
Downstairs Dining Area	1,213 sq ft
Downstairs Dance Floor	116 sq ft
Lobby	514 sq ft
Restrooms	783 sq ft
<u>Back of House</u>	<u>1,576 sq ft</u>
Total:	8,322 sq ft

The hours of operation at opening will be 11:00am to 2:00am, Monday thru Friday, and 9:00am to 2:00am Saturday and Sunday. We will be serving lunch and dinner Monday thru Friday, and breakfast, lunch, and dinner on Saturday and Sunday.

ATTACHMENT NO. 3.3



CITY OF HUNTINGTON BEACH

2000 MAIN STREET
P. O. BOX 70

POLICE DEPARTMENT

CALIFORNIA 92648

Tel: (714) 960-8811

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& Building

KENNETH W. SMALL
Chief of Police

PROPOSED ENTERTAINMENT CONDITIONS

ADDITIONAL ACTIONS ARE REQUIRED BY APPLICANT

This document DOES NOT allow entertainment at the listed establishment. Provided are the proposed conditions for your entertainment permit pursuant to the approval of a conditional use permit allowing entertainment at your establishment. Prior to approval of an entertainment permit, the applicant must agree to and complete (where necessary) the noted conditions, and, be in possession of the actual signed, final, Entertainment Permit.

Issued to: Tap House
8901 Warner Avenue
Huntington Beach CA, 92647

Effective Dates: WILL BE DETERMINED

CONDITIONS (29 total):

1. Hours of Entertainment: 10:00 AM to 1:30 AM each day of the week
2. Types of Entertainment: Amplified and non-amplified music; entertainment is limited to a disc jockey, live bands (maximum of 6 performers), vocalists, karaoke, soloists, and recorded music. There shall be no fashion shows, or cabarets as defined in 5.70.010(a) of the Huntington Beach Municipal Code.
3. Live entertainment will be allowed only in pre-designated zones authorized by the Huntington Beach Police Department.
4. Full food service menu items shall be served until (1) hour before closing and a cook and food server shall be on duty during these times.
5. Alcoholic drinks shall not be included in the price of admission.
6. There shall be no requirements for patrons to purchase a minimum number of alcoholic drinks.
7. Alcohol shall not be permitted outside of the establishment or proposed dining patio area.

ATTACHMENT NO. 4.1

8. An employee of the establishment must be present at all times in areas within the establishment where alcohol is served.
9. Patron dancing will be allowed only in pre-designated zones authorized by the Huntington Beach Police Department. The upper level dance floor shall be no greater than 300 square feet. The lower level dance floor shall be no greater than 120 square feet.
10. Performers will be allowed only in pre-designated zones authorized by the Police Department. The performance stage shall be no greater than 450 square feet.
11. Games or contests requiring or involving consumption of alcoholic beverages shall be prohibited.
12. All exterior doors and windows shall be closed at all times during live entertainment.
13. The rear door (north side of the building) shall be kept closed at all times during the operation of the business except in cases of emergency. The said door shall not consist solely of a ventilated or security screen door.
14. All live entertainment must remain inside the establishment at all times. No entertainment is allowed in the proposed dining patio area.
15. No entertainment shall be audible beyond 50 feet of the business in any direction.
16. All areas of the business that are accessible to patrons shall be illuminated to make easily discernible the appearance and conduct of all people in the business.
17. All provisions of the entertainment permit required by section 5.44 of the Huntington Beach Municipal Code shall continue to apply.
18. The number of persons attending the event or entertainment shall not exceed the maximum occupancy of the business premises as determined by the City of Huntington Beach. Signs stating the maximum permitted occupancy shall be posted in a conspicuous place on an approved sign near the main entrance of the business.
19. The business shall implement a program to readily identify persons less than 21 years of age once inside the location (i.e. hand stamps, wrist bands, etc.) when live entertainment is present.
20. The business shall send all employees involved in serving alcohol to customers to the Licensing Education on Alcohol and Drugs (LEADS) training presented by the California Department of Alcoholic Beverage Control (ABC), or other ABC approved course, every 12 months and within 30 days of hire.
21. No loitering shall be permitted within the vicinity of any entrances and exits at any time.
22. There shall be no line formation or queuing of customers on public sidewalks. Tap House security guards shall monitor all queuing lines.

23. Security Guards: There shall be at least 1 security guard for every 50 patrons with a minimum of 4 security guards when entertainment is present. Security guards will be present in all areas of entertainment and dancing, including the lower level dance area. Half of all on duty security personnel shall be stationed outside the premises to monitor the parking area for at least 30 minutes after live entertainment ends.
24. All security guards must be clearly identifiable as security guards, comply with all state and local laws regulating their services and possess a valid California Guard Card.
25. Tap House shall submit a security plan addressing how security issues will be handled during times of entertainment.
26. Tap House shall employ a video surveillance security system and a one-month video library. The minimum requirements for the cameras will be: color, digital recording to DVR and able to record in low light. The business shall ensure all doors, eating areas, and entertainment areas are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations.
27. No pyrotechnical material, special effects, open flame devices, or fireworks shall be allowed unless a permit is previously issued in writing by the Huntington Beach Fire Department and unless the display is in strict accordance with any ordinance adopted by the Huntington Beach City Council regulating such displays.
28. The applicant shall submit a sound survey, pursuant to HBMC 5.44.050(5)(b) prior to deeming an entitlement application (CUP) complete. The sound survey shall be prepared by a licensed engineer and show that the proposed entertainment will not create undue noise or violate the decibel limits for the zoning district as listed in Section 8.40 HBMC. This survey shall state the maximum allowable interior decibel limits to stay within the limits of 8.40 HBMC. The survey shall also address noise levels created by patrons and/or patrons on the outside patio.
29. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License, or any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise; at all times. Violations of any law or conditions of the Conditional Use Permit will be considered a violation of this permit under § 5.44.015(c) of the Huntington Beach Municipal Code.

Per section 5.44.090 HBMC, the Chief of Police may, revoke or suspend the permit upon receiving satisfactory evidence that the licensee or permittee has received four administrative citations which have been upheld at an administrative hearing, or been convicted of, or has entered a plea of guilty to four violations of the provisions of this chapter, or of any other law or ordinance of the City or state relating to such business.

Issued: CONCEPTUAL PERMIT



Kenneth W. Small
Chief of Police

Chapter 5.44

RESTAURANTS--AMUSEMENT AND ENTERTAINMENT PERMITS

(1265-12/66, 1444-10/68, 1454-12/68, 3213-11/93, Urgency Ordinance 3247-8/94, Urgency Ordinance 3341-10/96, 3449-2/00, 3618-11/03, 3862-2/10)

Sections:

- 5.44.010 Entertainment permit required
- 5.44.015 Entertainment restrictions
- 5.44.018 Beverage License -- Minors on Premises
- 5.44.020 Definitions
- 5.44.025 Repealed (Ordinance No. 3213-11/93)
- 5.44.030 Entertainment permit--Application
- 5.44.040 Permit--Application fee
- 5.44.050 Permit--Granting
- 5.44.060 Permit--Period valid
- 5.44.065 Permit--Notice to Applicant of Action Taken
- 5.44.070 Repealed (Ordinance No. 3862-2/10)
- 5.44.080 Exclusions
- 5.44.090 Revocation and/or Suspension of Permit
- 5.44.095 Revocation of Permit--Notice to Applicant of Action Taken
- 5.44.097 Repealed (Ordinance No. 3862-2/10)
- 5.44.100 Revocation of permit - Reapplication
- 5.44.110 Separate Violations
- 5.44.120 Additional Permit Violations

5.44.010 Entertainment permit required.

- (a) No person shall provide or permit any type of entertainment in a coffee shop, restaurant, nightclub, or place where food or other refreshments are served and which is open to the public unless such person shall first obtain a permit to do so from the Chief of Police as hereinafter provided (1265-12/66, 1454-12/68, 2541-3/82, 3213-11/93)
- (b) Every establishment in the City of Huntington Beach is subject to the requirements of this chapter, if entertainment or dancing is conducted or proposed to be conducted in such establishment. (1265-12/66, 1454-12/68, 2541-3/82, 3213-11/93)
- (c) No entertainment or dancing will be allowed in any establishment, unless a permit therefor is granted, in compliance with the provisions of this chapter, and unless said establishment is in complete compliance with every other applicable law which may otherwise apply to the operation of the establishment. (1265-12/66, 1454-12/68, 2541-3/82, 3213-11/93)
- (d) The Issuance of a Sex Oriented Business Permit pursuant to Chapter 5.70 of this Code is applicable satisfies the entertainment requirement of this Chapter. A separate entertainment permit is not required. (1265-12/66, 1454-12/68, 2541-3/82, 3213-11/93, Urg. 3341-10/96)

5.44.015 Entertainment restrictions. The permittee shall:

- (a) ensure entertainment provided is not audible beyond 50 feet from the exterior walls of the business in any direction; and (3213-11/93, 3449-2/00)
- (b) restrict the entertainment provided to that entertainment which is specified in the entertainment permit and in the license issued by the State of California Alcoholic Beverage Control, Conditional Use Permit, California Civil Code, or any other restriction issued by any regulatory power with authority over the business or premise; and (3213-11/93, 3449-2/00, 3862-2/10)

- (c) follow all other conditions as set forth in the entertainment permit and in the license as issued by the State of California Alcohol Beverage Control; and (3213-11/93, 3449-2/00)
- (d) ensure that all areas of the business that are accessible to patrons shall be illuminated to make easily discernible the appearance and conduct of all persons in the business; and (3213-11/93, 3449-2/00)
- (e) post the permit conspicuously in business premises. (3213-11/93, 3449-2/00)
- (f) Entertainment Permits shall be applicable at all hours, regardless if entertainment is present, with the exception of those conditions specifically listed on the permit which are only applicable during hours of entertainment. (3862-2/10)
- (g) For patron safety, dancing will only be permitted within an area preapproved in the Entertainment Permit and clearly delineated as a dance floor. (3862-2/10)

5.44.018 Beverage License -- Minors on premises. No person conducting, maintaining or carrying on a business, or having charge or control thereof, which has entertainment on its premises shall permit to be admitted on such business premises any minor under the age of twenty-one years, if any alcoholic beverages are consumed, dispensed or sold on the premises, unless the minor is accompanied and under the care at all times of his parent or parents or legal guardian. (3449-2/00)

5.44.020 Definitions. The following definitions shall be for purposes of this Chapter only, unless specifically adopted by another section of the Huntington Beach Municipal Code for use therein. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

- (a) Ambient music. For the purposes of this Chapter, ambient music shall be defined as prerecorded music which is audible from a distance of no more than ten (10) feet from any portion of the exterior of the premises. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
- (b) Establishment(s). Except as otherwise provided, and for purposes of this Chapter, an "establishment" means any location within the limits of the City of Huntington Beach to which the public may be invited where alcoholic beverages are served. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
- (c) Entertainment. As used in this Chapter, "entertainment" means a single event, a series of events, or an ongoing activity or business, occurring alone or as part of another business, to which the public is invited to watch, listen, or participate, or is conducted for the purposes of holding the attention of, gaining the attention of, or diverting or amusing guests or patrons, including, but not limited to:
 - (1) (a) Any amusement or event such as live music or other performance which is knowingly permitted by any establishment subject to this chapter, including presentations by single or multiple performers, such as hypnotists, pantomimes, comedians, song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, carnival or circus acts, demonstrations of talent or items for gift or sale; shows, reviews, and any other such activity which may be attended by members of the public. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
 - (b) Live or recorded music where public dancing is permitted. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
 - (2) Any event controlled, conducted, sponsored, encouraged, or knowingly permitted, by an establishment subject to this chapter, which involves any of the activities described in the foregoing paragraphs which is presented by members of the public, whether or not the participants in said activities are compensated by the establishment. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

- (3) Establishments which provide juke boxes, televisions, video games, video programs, or recorded music and no other entertainment, as herein defined, are not required to comply with the provisions of this chapter, unless the recorded music is played on equipment which is operated by an agent or contractor of the establishment for a period exceeding ten (10) minutes per hour. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

The intent of this section is to require a permit of establishments which provide that which is commonly known as a "DJ" and to exempt establishments which provide incidental or ambient music. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

- (d) Dancing. "Dance and Dancing" is defined as movement of the human body, accompanied by music or rhythm, except however, "dance and dancing", as used in this chapter, means dancing by patrons only; any other form of dance is deemed "entertainment", as defined herein. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
- (e) Patron(s). "Patron(s)" is defined as a member or members of the public who enter any establishment subject to this chapter, except as hereinafter provided. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

"Patron(s)" do not include:

- (1) any agent, owner, employee or contractor of an establishment subject to this chapter. Any person who indirectly or directly receives anything of value in exchange for his or her services rendered on behalf of such establishment shall be considered an "employee" hereunder; (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
- (2) any agent or representative of any governmental entity of any description whatsoever, including ad hoc boards, task forces, and commissions, provided that such agent or representative enters an establishment, acting in his or her official capacity on behalf of said governmental entity; (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)
- (3) persons who conduct entertainment at the subject establishment. (1265-12/66, 2541-3/82, 3213-11/93, 3618-11/03)

5.44.030 Entertainment permit--Application.

- (a) If a Conditional Use Permit, or any other entitlement, except a certificate of occupancy, is required for the use of any establishment which proposes to provide, or which does provide, entertainment or dancing, the provisions of this chapter shall be satisfied before application is made to the City for any such use permit or entitlement. The body before whom such entitlement application is heard shall not impose any condition inconsistent with the conditions imposed on a permit issued pursuant to this chapter. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (b) Applicants for entertainment permits shall file a written, signed and acknowledged application with the Business License Department showing: (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (1) The true, full name and any other names, including aliases, used by the applicant, and the permanent address of applicant; (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
 - (2) The days of the week, specific hours and address where the entertainment is proposed; (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)

- (3) The true, full name or names and any other names, including aliases of the person or persons having the management or supervision of applicant's business;
(1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (4) A statement of the nature and character of applicant's business, if any, to be carried on in conjunction with such entertainment;
(1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (5) Whether or not the person or persons having the management or supervision of applicant's business have been convicted of a crime, the nature of such offense, and the sentence received therefor; (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (6) Such other reasonable information as to the identity or character of the person or persons having the management or supervision of applicant's business as the Chief of Police may deem necessary. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (7) A floor plan and site plan showing the building interior and grounds, including parking spaces, and the dimension of each portion. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (8) A copy of any other licenses, permits, or entitlements issued to the applicant for this establishment or use by the State of California Alcoholic Beverage Control and any conditions pertaining to that license. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (9) A copy of all Conditional Use Permits for the premises. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (10) A copy of any other permits, or entitlements issued to the applicant for this establishment or use. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (11) A copy of any building or property lease or contract for the address for which the entertainment will take place. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (12) The name and address of the owner and lessor of the real property upon which the business is to be conducted. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (13) Acceptable written proof that the applicant is at least eighteen (18) years of age.
(1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (14) The social security number and state driver license or identification card number for the applicant. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (15) The address to which the Entertainment Permit is to be mailed.
(1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (16) A statement under oath that the applicant has read and understands the provisions of this chapter. (1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (17) A statement under oath that the applicant has personal knowledge of the information contained in the application and that the information contained is true and correct.
(1265-12/66, 1454-12/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)

5.44.040 Permit--Application fee. A fee shall be paid upon the filing of each application for a permit for the purpose of defraying the expenses incidental to the processing of the application. The fee shall be set by resolution of the City Council. (1265-12/66, 3213-11/93, 3862-1/10)

5.44.050 Permit--Granting. After the making and filing of the application, the Business License Department shall refer the matter to the Chief of Police for investigation and report thereon. The Chief of Police shall approve and issue an entertainment permit if the application and evidence submitted show that: (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)

- (1) The granting of previous entertainment and other related permits to the applicant has not, in the past, resulted in the operation of a business or businesses which have created loud and/or unreasonable noise levels for that location, as regulated by Huntington Beach Municipal Code Section 8.40, or excessive disturbances to the surrounding environment such that calls for services to the Police Department have exceeded fifteen (15) in the preceding twelve (12) months, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (2) The applicant or business has not been previously convicted of disturbing the peace and/or the creation of and failure to abate a nuisance as defined in the California Civil Code, or Huntington Beach Municipal Code Section 17.10, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (3) The entertainment to be provided would not attract crowds considered large for that location, would not overwhelm the available police and safety services, and would not be incompatible with the surrounding environment, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (4) The premises within which the entertainment is to be presented shall provide sufficient sound-absorbing insulation such that noise generated within the premises shall not be in violation of Huntington Beach Municipal Code Section 8.40 in relation to adjacent property or public right-of-way or within any other building or other separate unit within the same building, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (5)
 - (a) Considering where the entertainment is to be presented and its proximity to other businesses, residences, and the surrounding environs, there exist possible effective means of mitigating the noise emanating from the business to a level of insignificance and in compliance with Huntington Beach Municipal Code Section 8.40, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00, 3862-2/10)
 - (b) For new permits or locations where significant modifications have been made requiring modification to a conditional use permit or certificate of occupancy, the applicant shall submit a sound survey prepared by a licensed engineer showing that the proposed entertainment will not create undue noise or violate the decibel limits for the zoning district as listed in Section 8.40 HBMC. This survey shall state the maximum allowable interior decibel limits to stay within the limits of 8.40 HBMC. (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00, 3862-2/10)
- (6) The place of entertainment is to be located in a zone permitting the proposed use under Chapter 211 of the Huntington Beach Ordinance Code, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (7) All signage conforms to the requirements for that zone, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)

- (8) The granting of an entertainment permit would not violate other sections of the Huntington Beach Municipal Code or other applicable municipal, state, or federal laws, and (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)
- (9) The required fee has been paid. (1265-12/66, 1444-10/68, 3213-11/93, Urg. 3247-8/94, 3449-2/00)

5.44.060 Permit-Period valid. The permit shall be granted for the specific occasion requested, or if the request is for continuous permit, the permit shall be issued for not longer than one year. (1265-12/66)

5.44.065 Permit-Notice to Applicant of Action Taken. Within twenty (20) working days after the making and filing of the application, unless the applicant signs a written waiver of notice, the Police Department shall mail or personally deliver written notice to the applicant stating the action that was taken on the application, together with a list of any conditions imposed if the application is granted or, if the application is denied, the specific grounds for the denial. The notice shall also advise the applicant of his/her right to appeal the denial of his application or any of the conditions imposed. (3213-11/93, 3449-2/00)

5.44.080 Exclusions. The provisions of section 5.44.010 shall not be deemed to require a permit for the following: (1265-12/66)

- (a) For the use of a radio or music recording machine, or juke box in any establishment; (1265-12/66)
- (b) For any entertainment provided for members and their guests at a private club where admission is not open to the public; (1265-12/66)
- (c) For entertainment conducted in connection with a regularly established recreation park, circus or fairground; (1265-12/66)
- (d) For entertainment conducted by or sponsored by any bona fide club, society or association, organized or incorporated for benevolent, charitable dramatic or literary purposes having an established membership and which holds meetings other than such entertainment at regular intervals, when proceeds, if any, arising from such entertainment are used for the purposes of such club, society or association. (1265-12/66)

5.44.090 Revocation and/or Suspension of permit. The Chief of Police may, revoke or suspend the permit and license of any person holding same in the City, upon receiving satisfactory evidence that the licensee or permittee has: (1265-12/66, 3213-11/93, 3449-2/00)

- (a) received four administrative citations which have been upheld at an administrative hearing, or been convicted of, or has entered a plea of guilty to four violations of the provisions of this chapter, or of any other law or ordinance of the City or state relating to such business; or (1265-12/66, 3213-11/93, 3449-2/00, 3862-2/10)
- (b) permitted entertainment that is detrimental to the public welfare or that permittee, or his employees, are engaged in conduct or behavior which creates unreasonable noise or constitutes a nuisance, including but not limited to complaints registered with any City Department, the State Alcoholic Beverage Control Board or the County Health Department; or (1265-12/66, 3213-11/93, 3449-2/00)
- (c) The application is discovered to contain incorrect, false, or misleading information; or (1265-12/66, 3213-11/93, 3449-2/00)
- (d) The permit holder has had a entertainment permit or other similar permit or license denied or revoked for cause by this city or any other jurisdiction located in or out of this state prior to the date of application. (1265-12/66, 3213-11/93, 3449-2/00, 3862-2/10)

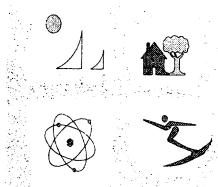
5.44.095 Suspension/Revocation of Permit--Notice to Applicant of Action Taken. Upon determining that grounds for permit revocation or suspension exists, the Chief of Police shall furnish written notice of the revocation to the permit holder. Such notice shall summarize the principal reasons for the revocation. If the notice is mailed, it shall be deposited in the United States Mail, first class postage prepaid, to the address shown on the application. Service shall be deemed complete upon personal service or mailed in the United States Mail. The notice shall also advise the applicant of his right to appeal the revocation or suspension of the permit.

(3449-2/00)

5.44.100 Revocation of permit - Reapplication. Whenever a permit or license is revoked under the terms of this chapter, no other application for a permit under this chapter shall be considered for a period of one year from date of such revocation. (1265-12/66)

5.44.110 Separate Violations. Each condition listed on the Entertainment Permit or ABC license which is violated, shall constitute a separate violation of this sub-section, and may be charged as separate counts. (3862-2/10)

5.44.120 Additional Permit Violations. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License, or any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise; at all times. Violations of any law or conditions of the Conditional Use Permit will be considered a violation of this permit under § 5.44.015(c) of the Huntington Beach Municipal Code. (3862-2/10)



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

June 24, 2011

Dwight Chornomud
8901 Warner Avenue
Huntington Beach, CA 92647

SUBJECT: CONDITIONAL USE PERMIT NO. 11-001 (TAPHOUSE RESTAURANT)
 8901 Warner Avenue, 92647
 PROJECT IMPLEMENTATION CODE REQUIREMENTS

Dear Mr. Chornomud,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at Ethan.Edwards@surfcity-hb.org or 714-536-5561 and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosures: Planning Division requirements dated June 24, 2011
 Building & Safety Division requirements dated February 14, 2011
 Public Works Department requirements dated February 15, 2011
 Fire Department requirements dated February 1, 2011
 Conceptual Entertainment Permit received April 7, 2011

Cc: Herb Fauland, Planning Manager; Jason Kelley, Planning Department; Darin Maresh, Fire Department – (714) 536-5531; Det. Steve Fong, Police Department – (714) 536-5960; Mark Carnahan, Building & Safety Division – (714) 374-1792; Josh McDonald, Public Works Department – (714) 536-5509; Huntington Partners, LLC, c/o Kathy Buchoz, 8907 Warner Avenue, Huntington Beach, CA 92647, Property Owner; Project File

ATTACHMENT NO. 6.1



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 24, 2011

PROJECT NAME: TAPHOUSE RESTAURANT

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-010

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-001

DATE OF PLANS: FEBRUARY 16, 2011

PROJECT LOCATION: 8901 WARNER, HUNTINGTON BEACH, 92647 (NORTHWEST CORNER OF WARNER AVENUE AND MAGNOLIA STREET)

PLAN REVIEWER: ETHAN EDWARDS

TELEPHONE/E-MAIL: (714) 536-5561

PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF AN APPROXIMATELY 8,000 SQ. FT. RESTAURANT WITH ALCOHOL, OUTDOOR DINING, LIVE ENTERTAINMENT, AND DANCING AT AN EXISTING BUILDING.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 11-001:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. The structure(s) cannot be occupied until a Certificate of Occupancy is approved and issued by the Planning & Building Department. **(HBMC 17.04.036)**
3. The live entertainment use including dancing cannot commence until an Entertainment Permit is approved and issued by the Police Department. **(HBMC 5.44).**
4. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning & Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets

submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**

5. Conditional Use Permit No. 11-001 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
6. The Planning Commission reserves the right to revoke Conditional Use Permit No. 11-001 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
7. Conditional Use Permit No. 11-001 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
9. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
10. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**
11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning & Building Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**



HUNTINGTON BEACH BUILDING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: FEBRUARY 14, 2011

PROJECT NAME: THE TAPHOUSE

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-010

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. CONDITIONAL USE PERMIT No. 11-001

DATE OF PLANS: January 20, 2011

PROJECT LOCATION: 8901 WARNER

PROJECT PLANNER: ETHAN EDWARDS

PLAN REVIEWER: EDDIE LEE, PLAN CHECKER II

TELEPHONE/E-MAIL: (714) 374-1538 / ELEE@SURFCITY-HB.ORG

PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF AN APPROXIMATELY 8,000 SQ. FT. RESTAURANT WITH ALCOHOL, OUTDOOR DINING, LIVE ENTERTAINMENT, AND DANCING AT AN EXISTING BUILDING.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Although the project description indicates it is an existing restaurant, the tenant improvement plans have not been submitted for plan check. Among issues to address in plan check are means of egress including exit path and exit doors based on use and occupant loads for existing space, proposed additional dining area, and proposed new patio and legalize unpermitted dining area.
2. The plans do not indicate the location of the live entertainment and dancing areas. The areas shall be accessible and shall not infringe on any required egress paths or aisles.


3. Side and Rear Elevations per A-4.1 should accurately depict the proposed Floor Plan per A-2.1. The bar opening in the exterior wall is not depicted.
4. Any modifications necessary to refrigerate or dispense alcoholic beverages are to be included in the tenant improvement plans.
5. Project shall comply with the current state building codes adopted by the City at the time of permit application submittal. Currently they are 2010 California Building Code (CBC), 2010 California Residential Code (CRC), 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, 2010 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
6. Provide building code analysis including type of construction, allowable area and height, occupancy group requirements, exterior wall ratings (per chapter 5 and 7), and means of egress per the 2010 CBC.
7. Provide compliance to disabled accessibility requirements of Chapter 11B of the 2010 CBC.
8. Recommendation: Please contact me or our office for a preliminary review of code analysis to examine any possible building code issues that may arise.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

SUGGESTED CONDITIONS OF APPROVAL

DATE: 2/15/11
PROJECT NAME: TAPHOUSE RESTURANT
ENTITLEMENTS: CUP 11-01
PLNG APPLICATION NO: 2011-0010
DATE OF PLANS: 1/20/11
PROJECT LOCATION: 8901 WARNER AVENUE
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG
PLAN REVIEWER: JOSH MCDONALD, CIVIL ENGINEERING ASSISTANT 
TELEPHONE/E-MAIL: 714-536-5509 / JOSHUA.MCDONALD@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF AN APPROXIMATELY 8,000 SQ. FT. RESTAURANT WITH ALCOHOL, OUTDOOR DINING, LIVE ENTERTAINMENT, AND DANCING AT AN EXISTING BUILDING.

THE FOLLOWING CONDITIONS ARE REQUIRED TO BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:


1. A Precise Grading Plan shall include the following improvements on the plan:
 - a. The existing westerly driveway approach on Warner Avenue shall be removed and replaced with an ADA compliant driveway approach per Public Works Standard Plan No. 209 or 211. (ZSO 230.84)
 - b. Damaged curb, gutter and sidewalk along the Warner Avenue frontage shall be removed and replaced per Public Works Standard Plan Nos. 202 and 207. (ZSO 230.84)



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: 2/15/11
PROJECT NAME: TAPHOUSE RESTURANT
ENTITLEMENTS: CUP 11-01
PLNG APPLICATION NO: 2011-0010
DATE OF PLANS: 1/20/11
PROJECT LOCATION: 8901 WARNER AVENEU
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG
PLAN REVIEWER: JOSH MCDONALD, CIVIL ENGINEERING ASSISTANT 
TELEPHONE/E-MAIL: 714-536-5509 / JOSHUA.MCDONALD@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF AN APPROXIMATELY 8,000 SQ. FT. RESTAURANT WITH ALCOHOL, OUTDOOR DINING, LIVE ENTERTAINMENT, AND DANCING AT AN EXISTING BUILDING.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The existing sewer lateral may potentially be utilized if it is of adequate size, conforms to current Public Works Standards and is determined to be in serviceable condition by submitting a video of the lateral. If the sewer is determined to be inadequate, a new sewer lateral shall be installed, connecting to the main, per Public Works Standards. (ZSO 230.84)

- b. The existing domestic water service and meter currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Water Inspector. If the property owner elects to utilize the existing water service and meter, any non-conforming water service and meter shall be upgraded to conform to the current Water Division Standards. Alternatively, a new separate domestic water service and meter may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). (ZSO 230.84)
 - c. The existing irrigation water service and meter currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Utilities Division. If the property owner elects to utilize the existing water service and meter, any non-conforming water service and meter shall be upgraded to conform to the current Water Division Standards. Alternatively, a new separate irrigation water service and meter may be installed per Water Division Standards. (ZSO 232)
 - d. If fire sprinklers are required by the Fire Department for the proposed development, the existing fire water service and backflow protection device currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Water Inspector. Alternatively, a new separate fire water service and backflow protection device may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). (ZSO 230.84)
 - e. Separate backflow protection devices shall be installed per Water Division Standards for domestic, irrigation, and fire water services. (Resolution 5921 and Title 17)
 - f. The existing domestic water service(s) and meter(s), if not being used shall be abandoned per Water Division Standards. (ZSO 230.84)
2. If an existing recorded water utility easement over the on-site existing public water utilities is not available a water utility easement shall be dedicated to and accepted by the City of Huntington Beach, covering the public water facilities and appurtenances located within the project site. The easement shall be prepared by either the Developer or Property Owner(s) and be a minimum total width of 10 feet clear (5 feet either side of the water pipeline or appurtenances), unobstructed paved or landscaped surface, pursuant to Water Division Standards. Where access is restricted or impacted by structures, walls, curbs, etc., the easement width shall be 20 feet to allow for equipment access and maintenance operations. No structures, parking spaces, trees, curbs, walls, sidewalks, etc., shall be allowed within the easement. No modifications to the water facilities and pavement located within the easement shall be allowed without proper notification and written approval from the City in advance. Such modifications may include, but are not limited to, connections to the water system, pavement overlay, parking lot re-striping, and parking lot reconfiguration. City personnel shall have access to public water facilities and appurtenances at all times. (ZSO 230.84)
 3. The Property Owner(s) shall enter into a Special Utility Easement Agreement with the City of Huntington Beach, for maintenance and control of the area within the public water pipeline easement, which shall address repair to any enhanced pavement, etc., if the public water pipelines and/or appurtenances require repair or maintenance. The Property Owner(s) shall be responsible for repair and replacement of any enhanced paving due to work performed by the City in the maintenance and repair of any water pipeline. The Special Utility Easement Agreement shall be referenced in the CC&R's. (Resolution 2003-29)
 4. Prior to submittal of a landscape plan, the applicant shall provide a Consulting Arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. (Resolution 4545)

5. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).
 - b. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - c. Standard landscape code requirements apply. (ZSO 232)
6. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
7. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
8. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. (Resolution-4545)
9. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
10. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.
11. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

12. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
13. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)

14. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
15. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
16. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
17. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
18. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
19. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
20. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
21. Wind barriers shall be installed along the perimeter of the site. (DAMP)
22. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A BUILDING PERMIT:**

23. A Precise Grading Permit shall be issued. (MC 17.05)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL
INSPECTION OR OCCUPANCY:**

24. Complete all improvements as shown on the approved grading and landscape plans. (MC 17.05)
25. All and new utilities shall be undergrounded. (MC 17.64)
26. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)
27. The current tree code requirements shall apply to this site. (ZSO 232)
 - a. Existing trees to remain on site shall not be disfigured or mutilated, (ZSO 232.04E) and,
 - b. General tree requirements, regarding quantities and sizes. (ZSO 232.08B and C)
28. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
29. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.

30. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with landscaping.. (MC 14.52)



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: FEBRUARY 1, 2011

PROJECT NAME: TAPHOUSE RESTAURANT

ENTITLEMENTS: PLANNING APPLICATION NO. 11-010

PROJECT LOCATION: 8901 WARNER, HUNTINGTON BEACH, 92647 (NORTHWEST CORNER OF WARNER AVENUE AND MAGNOLIA STREET)

PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ dmaresh@surfcity-hb.org

PROJECT DESCRIPTION: TO PERMIT THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF AN APPROXIMATELY 8,000 SQ. FT. RESTAURANT WITH ALCOHOL, OUTDOOR DINING, LIVE ENTERTAINMENT, AND DANCING AT AN EXISTING BUILDING.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated August 9, 2011. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Fire Suppression Systems

Fire Alarms

Fire Alarm System is required. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with *IBC 305.9* on the plans. A C-10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. (FD)

Modification, additions, or deletions to an existing fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Any extended interruption of the fire alarm system operation will require a "fire watch", approved by the Fire Department. **(FD)**

Fire Sprinklers

Automatic Fire Sprinklers are required. NFPA13 Automatic fire sprinkler systems are required per Huntington Beach Fire Code for new buildings with "fire areas" 5000 square feet. An addition of square footage to an existing building also triggers this requirement.

Separate plans (three sets) shall be submitted to the Fire Department for permits and approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, and 24-hour central station monitoring.

Automatic fire sprinkler systems must be maintained operational at all times, with maintenance inspections performed quarterly and the system serviced every five years by a state licensed C-16 Fire Protection Contractor.

For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. **(FD)**

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. **(FD)**

Commercial Food Preparation Fire Protection System required for commercial cooking. Plans (three sets) shall be submitted to the Fire Department as separate plans for permits and approval. Reference compliance with *City Specification # 412 Protection Of Commercial Cooking Operations* in the plan notes. **(FD)**

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department

Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the building plan notes. **(FD)**

Building Construction

Exit Signs And Exit Path Markings will be provided in compliance with the Huntington Beach Fire Code and Title 24 of the California Administrative Code. Reference compliance in the plan notes. **(FD)**

Posting Of Room Occupancy is required. Any room having an occupant load of 50 or more where fixed seats are not installed, and which is used for assembly purposes, shall have the capacity of the room posted in a conspicuous place near the main exit per HBFC sec. 1004.3 **(FD)**

Policy For Maintaining Room Occupancy is required. The Fire Department would like to review your security policy that identifies the training and procedures that your business will use to insure the business occupancy load will be adhered to.

Egress Illumination/Emergency Exit Lighting with emergency back-up power is required. Provide means of egress illumination per HBFC 604.2.4 and UBC 1003.2.9. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

Fire Department City Specifications may be obtained at:

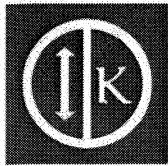
Huntington Beach Fire Department Administrative Office

City Hall 2000 Main Street, 5th floor

Huntington Beach, CA 92648

or through the City's website at **www.surfcity-hb.org**

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

July 19, 2011

Mr. Dwight Chornomud
TAPHOUSE RESTAURANT
8901 Warner Avenue
Huntington Beach, CA 92647

RECEIVED
JUL 20 2011
Dept. of Planning
& Building

Dear Mr. Chornomud:

INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to provide this parking analysis for the Taphouse Restaurant in the City of Huntington Beach. The project site is located at 8901 Warner Avenue within the Bridgecreek Plaza in the City of Huntington Beach (see Figure 1). Kunzman Associates, Inc. has been asked to conduct an analysis of the parking for the Taphouse Restaurant in order to ascertain if adequate parking spaces are currently provided within the Bridgecreek Plaza for existing and future conditions.

This report summarizes our methodology, analysis and findings. Although this is a technical report, every effort has been made to write the report clearly and concisely. To assist the reader with those terms unique to transportation engineering, a glossary of terms is provided within Appendix A.

PROJECT DESCRIPTION

The project site is located at 8901 Warner Avenue within the Bridgecreek Plaza in the City of Huntington Beach. Appendix B includes the Taphouse Restaurant architectural plans. The proposed use is a sports themed restaurant with 60 beers on tap featuring a variety of boldly flavored, made-to-order menu items. The Taphouse Restaurant will offer live entertainment and have a full liquor license. The hours of operation at opening will be 7:00 AM to 2:00 AM, seven days a week. The Taphouse Restaurant will be serving breakfast, lunch, and dinner.

A total of 229¹ parking spaces are currently provided in the Bridgecreek Plaza. Table 1 lists the existing tenant list within the Bridgecreek Plaza.

¹ The Bridgecreek Plaza has 211 parking spaces on-site. However, an additional 18 off-site parking spaces are located at the Archstone Apartments parking lot to the north of the Bridgecreek Plaza. The 18 parking spaces were allotted to Bridgecreek Plaza with the design of their shared Magnolia Street driveway. Although Bridgecreek Plaza has a total of 229 parking spaces, only the 211 on-site parking spaces were included in the parking study.

1111 TOWN & COUNTRY ROAD, SUITE 34, ORANGE, CA 92868
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ATTACHMENT NO. 7.1

Mr. Dwight Chornomud
TAPHOUSE RESTAURANT
July 19, 2011

PARKING DEMAND SURVEY

Based upon discussions with City of Huntington Beach staff, the peak periods for parking at the Bridgecreek Plaza were determined to be 7:00 AM to 7:00 PM on a Friday and Saturday. To quantify the existing parking demand for Bridgecreek Plaza, the existing parking demand was determined by surveying the project site at 30-minute intervals on Friday (July 15, 2011) and Saturday (July 16, 2011). For purposes of the parking survey, the project parking lot was divided in four (4) parking zones as shown on Figure 2.

The number of existing parking spaces in each parking zone was field inventoried and included within Tables 2 and 3. Based upon the field inventory, a total of 229¹ parking spaces are currently provided within the Bridgecreek Plaza.

The existing parking surveys are shown in Tables 2 and 3. As indicated in Table 2, the parking survey conducted on Friday (July 15, 2011) shows the maximum number of occupied parking spaces is 91 parked vehicles from 12:00 PM to 1:00 PM. This is a maximum parking occupancy of 43 percent. As indicated in Table 3, the parking survey conducted on Saturday (July 16, 2011) shows the maximum number of occupied parking spaces is 36 parked vehicles from 10:30 AM to 11:00 AM. This is a maximum parking occupancy of 17 percent. Figure 3 illustrates a graphical summary of the parking survey.

SHARED PARKING

Kunzman Associates, Inc. has used the procedures developed by the Urban Land Institute Shared Parking (2005). The idea of a shared parking analysis is that if the various land uses have peak parking demands at different points in time, or on different days of the week, then the number of spaces required is not the sum of the parking requirements for each land use, but rather less. If the peak demands for the various land uses are non-coincidental, then there is an opportunity for sharing of parking.

PARKING CODE

The City of Huntington Beach Parking Code requirements are included within Appendix C. Table 4 calculates the number of weekday and weekend parking spaces required for the vacant units and the proposed project based upon the City of Huntington Beach Parking Code and Urban Land Institute Shared Parking (2005).

¹ The Bridgecreek Plaza has 211 parking spaces on-site. However, an additional 18 off-site parking spaces are located at the Archstone Apartments parking lot to the north of the Bridgecreek Plaza. The 18 parking spaces were allotted to Bridgecreek Plaza with the design of their shared Magnolia Street driveway. Although Bridgecreek Plaza has a total of 229 parking spaces, only the 211 on-site parking spaces were included in the parking study.